

Joseph H. Hunt
 Assistant Attorney General
 William D. Hyslop
 United States Attorney
 Brian M. Donovan
 Assistant United States Attorney
 Post Office Box 1494
 Spokane, WA 99210-1494
 Telephone: (509) 353-2767

Ruth A. Harvey
 Marcus S. Sacks
 Assistant Director
 U.S. Department of Justice, Civil Division
 PO Box 875
 Ben Franklin Station
 Washington, District of Columbia 20044
 Telephone: (202) 307-1104

UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF WASHINGTON

In Re:

ASTRIA HEALTH, et al.¹

Debtors and Debtors in Possession,

ASTRIA HEALTH, et al.,

Plaintiffs,

v.

Lead Case No. 19-01189-11

Adv. Proc. Case No. 20-80016-WLH

NOTICE OF APPEAL

PRELIMINARY INJUNCTION
 APPEAL

¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189-11), Glacier Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings, LLC (19-01194-11), Oxbow Summit, LLC (19-01195-11), SHC Holdco, LLC (19-01196-11), SHC Medical Center - Toppenish (19-01190-11), SHC Medical Center - Yakima (19-01192-11), Sunnyside Community Hospital Association (19-01191-11), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197-11), Sunnyside Home Health (19-01198-11), Sunnyside Professional Services, LLC (19-01199-11), Yakima Home Care Holdings, LLC (19-01201-11), and Yakima HMA Home Health, LLC (19-01200-11).



1 UNITED STATES SMALL
2 BUSINESS ADMINISTRATION
3 and JOVITA CARRANZA, in her
4 capacity as Administrator for the
United States Small Business
Administration,

5 Defendants.

6
7 **NOTICE OF APPEAL UNDER 28 U.S.C. § 158(a)(1)**
8 **AND STATEMENT OF ELECTION**

9 **Part 1: Identify the appellant**

10 1. Name(s) of appellant(s):

11
12 United States Small Business Administration and Jovita Carranza, in her
13 capacity as Administrator for the United States Small Business
Administration

14 2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the
15 subject of this appeal:

16 For appeals in an adversary proceeding.

17 ☐ Plaintiff

18 ☒ Defendant

19 ☐ Other (describe)

20 **Part 2: Identify the subject of this appeal**

21 1. Describe the judgment, order, or decree appealed from:

22
23 *Order Granting Preliminary Injunction, Denying Stay Pending Appeal,*
24 *and Certifying Issues to the Ninth Circuit* (ECF No. 22); Transcript of
25 Hearing Held 06/03/2020 (ECF No. 22 at Exhibit A); Minute Entry Re;
26 Motion for Temporary Restraining Order and Use of PPP Funds. HELD
(ECF No. 19).

2. State the date on which the judgment, order, or decree was entered:

The preliminary injunction order was entered on June 10, 2020 (ECF No. 22).

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

Party:
See attached

Attorneys:
See attached

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

RESPECTFULLY SUBMITTED: June 23, 2020.

JOSEPH H. HUNT
Assistant Attorney General

WILLIAM D. HYSLOP
United States Attorney

/s/ Brian M. Donovan
BRIAN M. DONOVAN
Assistant United States Attorney

1 RUTH A. HARVEY
2 MARCUS S. SACKS
3 Commercial Litigation Branch
4 Civil Division
5 United States Department of Justice
6 P.O. Box 875
7 Ben Franklin Station
8 Washington D.C. 20044
9 Tel. (202) 307-1104
10 marcus.s.sacks@usdoj.gov

11 *Attorneys for the United States*
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EXHIBIT A – LIST OF OTHER PARTIES TO THE APPEAL

Party:

Astria Health 900 W Chestnut Ave
Yakima, WA 98902;
Glacier Canyon, LLC 900 W.
Chestnut Ave. Yakima, WA 98902;
Kitchen and Bath Furnishings, LLC
900 W Chestnut Ave Yakima, WA
98902;
Oxbow Summit, LLC 900 W
Chestnut Ave Yakima, WA 98902;
SHC Holdco, LLC 900 W Chestnut
Ave Yakima, WA 98902;
SHC Medical Center - Toppenish
900 W Chestnut Ave Yakima, WA
98902;
SHC Medical Center – Yakima 900
W Chestnut Ave Yakima, WA
98902;
Sunnyside Community Hospital
Association 900 W Chestnut Ave
Yakima, WA 98902;
Sunnyside Community Hospital
Home Medical Supply, LLC 900 W
Chestnut Ave Yakima, WA 98902;
Sunnyside Home Health 900 W
Chestnut Ave Yakima, WA 98902;
Sunnyside Professional Services,
LLC 900 W Chestnut Ave Yakima,
WA 98902;
Yakima Home Care Holdings, LLC
7 S. 10th Ave., Suite 400 Yakima,
WA 98902;
Yakima HMA Home Health, LLC
7 S. 10th Ave. Yakima, WA 98902

Attorneys:

Sam Alberts
Dentons US LLP
1900 K Street, NW
Washington, DC 20006
202-408-7004
sam.alberts@dentons.com

James L Day
Bush Strout & Kornfeld
601 Union Street
Suite 5000
Seattle, WA 98101
206-292-2110
Fax : 206-292-2104
jday@bskd.com

Samuel R Maizel
Dentons US LLP
601 South Figueroa Street
Suite 2500
Los Angeles, CA 90017-5704
213-623-9300
Fax : 213-623-9924
samuel.maizel@dentons.com

Geoffrey M. Miller
Dentons US LLP
1221 Avenue of the Americas
New York, NY 10020-1089
212-768-6700
Fax : 212-768-6800
geoffrey.miller@dentons.com

Sarah M. Schrag
Dentons US LLP
303 Peachtree Street, NE
Suite 5300
Atlanta, GA 30308

404-527-4988
sarah.schrag@dentons.com

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DEFENDANTS' NOTICE OF APPEAL - 6